



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4902

Introduced 1/19/2006, by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

210 ILCS 50/3.85

Amends the Emergency Medical Services (EMS) Systems Act. Provides that a vehicle service provider may stock a vehicle covered by the provider's license with EMT medical supplies intended for use in connection with a higher level of care (basic life support, intermediate life support, or advanced life support) than would otherwise be placed in the vehicle if the vehicle is operated under a staffing waiver that allows for certified EMT personnel who are qualified to use those medical supplies in the course of performing their duties under the Act. Provides that an EMT is responsible for using only those EMT medical supplies that he or she is authorized to use according to his or her license. Effective immediately.

LRB094 16486 DRJ 51746 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Emergency Medical Services (EMS) Systems Act
5 is amended by changing Section 3.85 as follows:

6 (210 ILCS 50/3.85)

7 Sec. 3.85. Vehicle Service Providers.

8 (a) "Vehicle Service Provider" means an entity licensed by
9 the Department to provide emergency or non-emergency medical
10 services in compliance with this Act, the rules promulgated by
11 the Department pursuant to this Act, and an operational plan
12 approved by its EMS System(s), utilizing at least ambulances or
13 specialized emergency medical service vehicles (SEMSV).

14 (1) "Ambulance" means any publicly or privately owned
15 on-road vehicle that is specifically designed, constructed
16 or modified and equipped, and is intended to be used for,
17 and is maintained or operated for the emergency
18 transportation of persons who are sick, injured, wounded or
19 otherwise incapacitated or helpless, or the non-emergency
20 medical transportation of persons who require the presence
21 of medical personnel to monitor the individual's condition
22 or medical apparatus being used on such individuals.

23 (2) "Specialized Emergency Medical Services Vehicle"
24 or "SEMSV" means a vehicle or conveyance, other than those
25 owned or operated by the federal government, that is
26 primarily intended for use in transporting the sick or
27 injured by means of air, water, or ground transportation,
28 that is not an ambulance as defined in this Act. The term
29 includes watercraft, aircraft and special purpose ground
30 transport vehicles or conveyances not intended for use on
31 public roads.

32 (3) An ambulance or SEMSV may also be designated as a

1 Limited Operation Vehicle or Special-Use Vehicle:

2 (A) "Limited Operation Vehicle" means a vehicle
3 which is licensed by the Department to provide basic,
4 intermediate or advanced life support emergency or
5 non-emergency medical services that are exclusively
6 limited to specific events or locales.

7 (B) "Special-Use Vehicle" means any publicly or
8 privately owned vehicle that is specifically designed,
9 constructed or modified and equipped, and is intended
10 to be used for, and is maintained or operated solely
11 for the emergency or non-emergency transportation of a
12 specific medical class or category of persons who are
13 sick, injured, wounded or otherwise incapacitated or
14 helpless (e.g. high-risk obstetrical patients,
15 neonatal patients).

16 (b) The Department shall have the authority and
17 responsibility to:

18 (1) Require all Vehicle Service Providers, both
19 publicly and privately owned, to function within an EMS
20 System;

21 (2) Require a Vehicle Service Provider utilizing
22 ambulances to have a primary affiliation with an EMS System
23 within the EMS Region in which its Primary Service Area is
24 located, which is the geographic areas in which the
25 provider renders the majority of its emergency responses.
26 This requirement shall not apply to Vehicle Service
27 Providers which exclusively utilize Limited Operation
28 Vehicles;

29 (3) Establish licensing standards and requirements for
30 Vehicle Service Providers, through rules adopted pursuant
31 to this Act, including but not limited to:

32 (A) Vehicle design, specification, operation and
33 maintenance standards;

34 (B) Equipment requirements;

35 (C) Staffing requirements; and

36 (D) Annual license renewal.

1 (4) License all Vehicle Service Providers that have met
2 the Department's requirements for licensure, unless such
3 Provider is owned or licensed by the federal government.
4 All Provider licenses issued by the Department shall
5 specify the level and type of each vehicle covered by the
6 license (BLS, ILS, ALS, ambulance, SEMSV, limited
7 operation vehicle, special use vehicle);

8 (5) Annually inspect all licensed Vehicle Service
9 Providers, and relicense such Providers that have met the
10 Department's requirements for license renewal;

11 (6) Suspend, revoke, refuse to issue or refuse to renew
12 the license of any Vehicle Service Provider, or that
13 portion of a license pertaining to a specific vehicle
14 operated by the Provider, after an opportunity for a
15 hearing, when findings show that the Provider or one or
16 more of its vehicles has failed to comply with the
17 standards and requirements of this Act or rules adopted by
18 the Department pursuant to this Act;

19 (7) Issue an Emergency Suspension Order for any
20 Provider or vehicle licensed under this Act, when the
21 Director or his designee has determined that an immediate
22 and serious danger to the public health, safety and welfare
23 exists. Suspension or revocation proceedings which offer
24 an opportunity for hearing shall be promptly initiated
25 after the Emergency Suspension Order has been issued;

26 (8) Exempt any licensed vehicle from subsequent
27 vehicle design standards or specifications required by the
28 Department, as long as said vehicle is continuously in
29 compliance with the vehicle design standards and
30 specifications originally applicable to that vehicle, or
31 until said vehicle's title of ownership is transferred;

32 (9) Exempt any vehicle (except an SEMSV) which was
33 being used as an ambulance on or before December 15, 1980,
34 from vehicle design standards and specifications required
35 by the Department, until said vehicle's title of ownership
36 is transferred. Such vehicles shall not be exempt from all

1 other licensing standards and requirements prescribed by
2 the Department;

3 (10) Prohibit any Vehicle Service Provider from
4 advertising, identifying its vehicles, or disseminating
5 information in a false or misleading manner concerning the
6 Provider's type and level of vehicles, location, primary
7 service area, response times, level of personnel,
8 licensure status or System participation; and

9 (11) Charge each Vehicle Service Provider a fee, to be
10 submitted with each application for licensure and license
11 renewal, which shall not exceed \$25.00 per vehicle, up to
12 \$500.00 per Provider.

13 (c) A vehicle service provider may stock a vehicle covered
14 by the provider's license under this Act with EMT medical
15 supplies intended for use in connection with a higher level of
16 care (basic life support, intermediate life support, or
17 advanced life support) than would otherwise be placed in the
18 vehicle if the vehicle is operated under a staffing waiver that
19 allows for certified EMT personnel who are qualified to use
20 those medical supplies in the course of performing their duties
21 under this Act. An EMT is responsible for using only those EMT
22 medical supplies that he or she is authorized to use according
23 to his or her license under this Act.

24 (Source: P.A. 89-177, eff. 7-19-95.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.